

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Richard Anthony FRANKS

Case No. Case: 2:22-mj-30176
Assigned To : Unassigned
Assign. Date : 4/7/2022
USA V. SEALED MATTER (CMP)(CMC)

CRIMINAL COMPLAINT

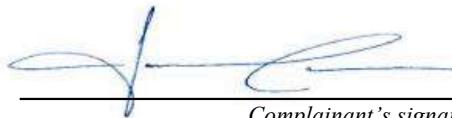
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 17, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(1)	Felon in possession of a firearm
18 U.S.C. 924(c)	Use or carry a dangerous weapon in drug crime or crime of violence
21 U.S.C. 841(a)(1)(a)	Manufacture, distribution, dispense, possess a controlled substance

This criminal complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

Special Agent Jameria Caldwell - ATF
Printed name and title



Judge's signature

Honorable Kimberly G. Altman, U.S. Magistrate Judge
Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: April 7, 2022

City and state: Detroit, Michigan

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT

I, Special Agent (SA) Jameria Caldwell, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint for Richard FRANKS (XX/XX/1973), whom I believe to be a felon in possession of firearms, in violation of Title 18 U.S.C. § 922(g)(1), to have used a firearm during a crime of violence or drugs, in violation of Title 18 U.S.C. § 924(c), and to have manufactured, distributed, or possessed a controlled substance, in violation of Title of 21 U.S.C. § 841(a)(1)(a).

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and have been for approximately six years. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and graduated from ATF Special Agent Basic Training. I received a bachelor's degree in Criminal Justice from Michigan State University. After obtaining my degree, I worked for the Lansing City Police Department as a Civilian Detention Officer.

3. During my employment with the ATF, I have participated in numerous criminal investigations focused on firearms, narcotics, armed drug-trafficking violations, and criminal street gangs, amongst other crimes.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, officers, and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

II. INVESTIGATION AND PROBABLE CAUSE

5. On or about February 9, 2022, Detroit Police Department (DPD) Police Officer (PO) Devonte Brooks, who is currently assigned to the Metro Narcotics Enforcement Team (MNET), received an anonymous tip that a person named Richard FRANKS, DOB: (XX/XX/1973), was possessing firearms and actively selling methamphetamine and crack-cocaine at his residence located in 681 Whitmore Rd., 48203 and at the Powerhouse Gym located at 16231 Woodward Ave. Highland Park, MI, 48203 (the “Powerhouse Gym”). The tipster also indicated that FRANKS drives a white F-150 pickup truck with MI license: DUN0474 and a GMC Yukon SUV with MI License plate: EKS9617.

6. This tip led PO Brooks to identify Richard Franks as Richard Edward-Anthony FRANKS a black, male (B/M) (XX/XX/1973). FRANKS is a previously convicted felon, with a registered address of 681 Whitmore Rd. Apt. #105 Detroit, MI, 48203. According to a Secretary of State (SOS) query, FRANKS has a white F-150 pickup truck with MI license: DUN0474 and a Silver GMC Yukon SUV with MI License plate: EKS9617 registered to him at 681 Whitmore Rd. Apt. #105 Detroit, MI, 48203 (the “Target Location”).

7. I reviewed a computerized criminal history (CCH) for FRANKS, which revealed that FRANKS has following felony convictions:

- 1992- Carrying Concealed Weapons – 3rd Circuit Court
- 2002- Homicide Second Degree – 3rd Circuit Court

SURVEILLANCE

8. During the month of February 2022, MNET officers surveilled FRANKS at the Target Location and at the Powerhouse Gym. During their periods of surveillance, they observed FRANKS operating his registered vehicles, entering, and departing the main entry doors to the Target Location, and arriving at the Powerhouse Gym. MNET officers also observed FRANKS participating in multiple hand-to-hand narcotics transactions with various individuals at both locations.

9. Based on the tip and law enforcement observations and intelligence, on February 16, 2022, PO Brooks obtained a state search warrant signed by 31st District Court Judge Alexi Krot (Case No. MNT-27-22) to search the Target Location.

Search Warrant Executed at 681 Whitmore Rd. Apt. #105

10. On February 17, 2022, at approximately 4:35 a.m., MNET officers observed FRANKS exit the Target Location and walk directly across the street to 660 Whitmore Rd., Detroit, MI 48203. They then observed FRANKS use a key to enter the apartment complex at 660 Whitmore Rd. Shortly after FRANKS entered the main complex, MNET officers observed FRANKS'S Silver Yukon leave the underground parking area of 660 Whitmore Rd.

11. At approximately 5:00 a.m., MNET officers executed their search warrant for the Target Location. While executing that search warrant, MNET officers recovered items including: (i) about 85.1 gross grams of suspected crack cocaine, (ii) about \$2,873 in United States currency, (iii) assorted pistol and rifle ammunition; (iv) numerous firearm magazines, (v) a black smart phone, and (vi) a scale with residue. These recovered items were scattered throughout the residence, including in kitchen cabinets, on tables, in drawers, in nightstands, and on beds.

Search Warrant Executed at 660 Whitmore Rd. Apt. #105

12. Based on their previous surveillance, MNET Detective/ Sargent (D/Sgt.) Jon Bowerman contacted the property manager for 660 Whitmore Rd., the apartment building across the street. The property manager for 660 Whitmore Rd. informed D/Sgt. Bowerman that FRANKS was renting Apt. #105 of that building and that he parked his vehicles in its underground parking lot.

13. MNET officers then entered the 660 Whitmore Rd. building, where they immediately observed that the locks on Apt. #105 did not match the locks on the other units in the apartment complex. According to the property manager, FRANKS changed the locks to Apt. #105 without building management's permission, hindering building management's access to the apartment.

14. Hence, on February 17, 2022, PO Brooks obtained another state search warrant, signed by 31st District Court Judge Alexi Krot, to search 660 Whitmore Rd. Apt. #105. MNET Officers immediately executed this warrant.

15. During the execution of this search warrant, MNET officers recovered the following firearms: (i) one Century Arms Rifle, Model: GP1975, Caliber: 7.62, S/N: GP7507226, in the master bedroom closet, (ii) one Armalite Pistol, Model: M15, Caliber: 5.56, S/N: US228185, in the master bedroom closet, (iii) one Ruger Pistol, Model: SR40, Caliber: .40, S/N: 342-52708, in the master

bedroom closet, and (iv) one Colt Pistol (DGFM FMAP ARGENTINE), Model: 1927, Caliber: .45, S/N: 74848, in the master bedroom closet.

16. MNET officers also found approximately 126.5 gross grams of suspected cocaine in the master-bedroom nightstand.

INTERVIEW

17. Also on February 17, 2022, FRANKS was interviewed by Detective (Det.) Dillian Parran and PO Brooks. FRANKS advised that he could read, write, and understand English. FRANKS also advised that he was not under the influence of alcohol nor drugs. PO Brooks then read FRANKS his *Miranda* rights. FRANKS acknowledged his rights and agreed to speak to Det. Parran and PO Brooks.

18. During the interview, FRANKS advised that he resides at 681 Whitmore in apartment number 105. FRANKS also stated that he is a certified personal trainer and assistant manager at the Powerhouse Gym located at 16231 Woodward Ave.

19. FRANKS also admitted to being a felon, to having served a term of incarceration of approximately 11.5 years, and to regularly selling illegal drugs in the evenings, after work. He also admitted that there were approximately 20 grams of illegal drugs in the cabinet above the stove of the Target Location, (at this point, MNET officers had already recovered approximately 41.3 gross grams of

suspected crack cocaine in that location). FRANKS also admitted knowing about the ammunition found in the Target Location.

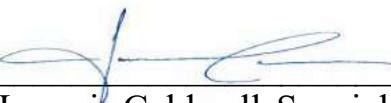
20. When asked if he had a key to 660 Whitmore Apt. #105 FRANKS replied, "y'all got y'all answer and you already know what it is." FRANKS then stated that the key to open the door to 660 Whitmore Apt. #105 was on his key ring. FRANKS also stated that he purchased the guns recovered at 660 Whitmore Apt. #105 off the street and that he was holding them for someone.

21. On March 24, 2022, I contacted SA Jacobs, an expert in the Interstate Nexus of firearms and ammunition. SA Jacobs stated that all of the firearms recovered during the two searches on February 17, 2022, are firearms as defined by federal law and were manufactured outside the state of Michigan, thus having traveled in and affected interstate commerce.

III. CONCLUSION

22. Based on the aforementioned facts, probable cause exists that Richard FRANKS, a convicted felon, knowing that he was a felon, did knowingly and intentionally possess a firearm, which traveled in and affected interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1); did use a firearm during a crime of violence or drugs, in violation of Title 18 U.S.C. § 924(c), and did manufacture, distribute or possess a controlled substance, in violation of Title of 21 U.S.C. § 841 (a)(1)(a).

Respectfully submitted,



Jameria Caldwell, Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Honorable Kimberly G. Altman
United States Magistrate Judge

Date: April 7, 2022